

Report to the Cabinet

Meeting to be held on Thursday, 8 September 2022

Report of the Head of Service - Procurement

Part I

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Delivering better services;
Caring for the vulnerable;
Supporting economic growth

Procurement Report

(Appendix 'A' refers)

Contact for further information:

Rachel Tanner, Tel: (01772) 534904, Head of Service - Procurement,
rachel.tanner@lancashire.gov.uk

Brief Summary

In line with the county council's procurement rules, this report sets out a recommendation to approve the commencement of the following procurement exercises:

- (i) Supply of stone and paving products
- (ii) Civil engineering materials
- (iii) Customer Contact Centre Solution

In addition, the report sets out the recommendation to approve the waiver of the Procurement Rules set out in Appendix R of the county council's Constitution to allow the council to continue to contract with Openreach Limited (via British Telecommunications Plc) without competitively tendering. Regulation 8 of the Public Contracts Regulation 2015 (PCR 2015) provides an exemption for the requirement to competitively tender contracts for the provision of accessing publicly available communication network.

This is deemed to be a Key Decision and the requirements of Standing Order C19 have been complied with.



Recommendation

Cabinet is asked to:

- (i) Approve the commencement of the procurement exercises, as set out in Appendix 'A' of this report; and
- (ii) Approve the waiver of Procurement Rules to continue to direct award future contracts to Openreach Limited as also set out in Appendix 'A' of this report.

Detail

Appendix 'A' sets out the detail of the procurement exercises and the basis upon which it is proposed to carry out the process including:

- The description of the service/goods/works
- The procurement route proposed
- The estimated contract value
- The proposed basis of the evaluation of the tender submissions

Where approval has been received from Cabinet to undertake a tender process which is deemed to be a Key Decision, the subsequent award of the contract on the satisfactory completion of the tender exercise shall not be deemed to be a Key Decision and can be approved by the relevant head of service or director.

On conclusion of the procurement exercise, the award of the contract shall be made under the county council's scheme of delegation to heads of service and in accordance with the council's procurement rules.

In addition to approving the commencement of the new tender exercises included in the report, Cabinet is requested to approve the waiver of Procurement Rules to continue to directly contract with Openreach Limited as set out in Appendix 'A'.

Consultations

Relevant heads of service and key operational staff have been consulted in drawing up the proposals contained within the report.

Implications:

This item has the following implications, as indicated:

Financial

The estimated value of the contracts will be contained within the funding arrangements as set out in Appendix 'A'. If significant variations should result from this position, a further report to Cabinet will be required.



Legal/Procurement

The specific risks relating to the waiver of Procurement Rules for the Openreach Agreement are included within Appendix 'A'.

List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

